

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

IN RE:

Case No. **17-28430**

Judge \_\_\_\_\_

**Green, Alicia**

Debtor(s)

**CHAPTER 13 PLAN AND MOTIONS**

☒ Original

☐ Modified/Notice Required

Date: **September 25, 2017**

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS MAY BE AFFECTED**

You should have received from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: \_\_\_\_\_

Initial Debtor: \_\_\_\_\_

Initial Co-Debtor: \_\_\_\_\_

**Part 1: Payment and Length of Plan**

- a. The debtor shall pay \$ **800.00** per **month** to the Chapter 13 Trustee, starting on **10/01/2017** for approximately **60** months.
- b. The Debtor shall make plan payments to the Trustee from the following sources:  
☒ Future Earnings  
☐ Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations:  
☐ Sale of real property  
 Description:  
 Proposed date for completion: \_\_\_\_\_  
  
☐ Refinance of real property  
 Description:  
 Proposed date for completion: \_\_\_\_\_  
  
☒ Loan modification with respect to mortgage encumbering property  
 Description: **248 2nd Avenue, Toms River, NJ 08757**  
 Proposed date for completion: **4/01/2018**
- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection [X] NONE**

- a. Adequate protection payments will be made in the amount of \$ **None** to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).
- b. Adequate protection payments will be made in the amount of **\$760.00** to be paid directly by the debtor(s) outside the Plan, pre-confirmation to **Central Loan Administration** (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

| Creditor                           | Type of Priority              | Amount to be Paid       |
|------------------------------------|-------------------------------|-------------------------|
| <b>Straffi &amp; Straffi</b>       | <b>Administrative Expense</b> | <b>3,400.00</b>         |
| <b>Standing Chapter 13 Trustee</b> | <b>507(a)(1) Admin Exp.</b>   | <b>To be Determined</b> |

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

| Creditor    | Type of Priority | Claim Amount | Amount to be Paid |
|-------------|------------------|--------------|-------------------|
| <b>None</b> |                  |              |                   |

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments [ ] NONE**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor                          | Collateral or Type of Debt                    | Arrearage        | Interest Rate on Arrearage | Amount to be Paid to Creditor (In Plan) | Regular Monthly Payment (Outside Plan) |
|-----------------------------------|---|------------------|----------------------------|---|--|
| <b>Central Loan Admin &amp; R</b> | <b>248 2nd Ave, Toms River, NJ 08757-4825</b> | <b>40,747.00</b> | <b>0.00%</b>               | <b>40,747.00</b>                        | <b>760.00</b>                          |

**b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: [X] NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor    | Collateral or Type of Debt | Arrearage | Interest Rate on Arrearage | Amount to be Paid to Creditor (In Plan) | Regular Monthly Payment (Outside Plan) |
|-------------|----------------------------|-----------|----------------------------|---|--|
| <b>None</b> |                            |           |                            |   |  |

**c. Secured claims excluded from 11 U.S.C. 506: [X] NONE**

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

| Name of Creditor | Collateral | Interest Rate | Amount of Claim | Total to be Paid through the Plan Including Interest Calculation |
|------------------|------------|---------------|-----------------|--|
| <b>None</b>      |            |               |                 |  |

**d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments [X] NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

| Creditor    | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor Interest in Collateral | Annual Interest Rate | Total Amount to be Paid |
|-------------|------------|----------------|------------------------|----------------|--|----------------------|-------------------------|
| <b>None</b> |            |                |                        |                |  |                      |                         |

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**e. Surrender ☒ NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

| Creditor | Collateral to be Surrendered | Value of Surrendered Collateral | Remaining Unsecured Debt |
|----------|------------------------------|---------------------------------|--------------------------|
| None     |                              |                                 |                          |

**f. Secured Claims Unaffected by the Plan ☐ NONE**

The following secured claims are unaffected by the Plan:

**Higher Education Student Assistance Auth - Student Loan**

**g. Secured Claims to Be Paid in Full Through the Plan ☒ NONE**

| Creditor | Collateral | Total Amount to be Paid through the Plan |
|----------|------------|--|
| None     |            |  |

**Part 5: Unsecured Claims ☐ NONE**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

Not less than \$ \_\_\_\_\_ to be distributed *pro rata*  
Not less than \_\_\_\_\_ percent  
☒ *Pro Rata* distribution from any remaining funds

**b. Separately Classified Unsecured Claims** shall be treated as follows:

| Creditor | Basis for Separate Classification | Treatment | Amount to be Paid |
|----------|-----------------------------------|-----------|-------------------|
| None     |                                   |           |                   |

**Part 6: Executory Contracts and Unexpired Leases ☒ NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

| Creditor | Arrears to be Cured in Plan | Nature of Contract or Lease | Treatment by Debtor | Post-Petition Payment |
|----------|-----------------------------|-----------------------------|---------------------|-----------------------|
| None     |                             |                             |                     |                       |

**Part 7: Motions**

~~Certificate of Notice~~ Page 5 of 9

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). [ ] NONE**

The Debtor moves to avoid the following liens that impair exemptions:

| Creditor    | Nature of Collateral | Type of Lien | Amount of Lien | Value of Collateral | Amount of Claimed Exemption | Sum of All Other Liens Against the Property | Amount of Lien to be Avoided |
|-------------|----------------------|--------------|----------------|---------------------|-----------------------------|---|------------------------------|
| <b>None</b> |                      |              |                |                     |                             |   |                              |

**b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured. [X] NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

| Creditor    | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor Interest in Collateral | Total Amount of Lien to be Reclassified |
|-------------|------------|----------------|------------------------|----------------|--|---|
| <b>None</b> |            |                |                        |                |  |   |

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. [X] NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

| Creditor    | Collateral | Scheduled Debt | Total Collateral Value | Amount to be Deemed Secured | Amount to be Reclassified as Unsecured |
|-------------|------------|----------------|------------------------|-----------------------------|--|
| <b>None</b> |            |                |                        |                             |  |

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

☒ Upon Confirmation  
☐ Upon Discharge

**b. Payment Notices**

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) **Trustee Commissions**
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**
- 6) **General Unsecured Claims**

**d. Post-petition claims** The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification ☒ NONE**

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: \_\_\_\_\_

|  |  |
|--|--|
| Explain below <b>why</b> the Plan is being modified. | Explain below <b>how</b> the Plan is being modified. |
|  |  |

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

**Part 10: Non-Standard Provision(s): Signatures Required**

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: \_\_\_\_\_  
Attorney for the Debtor

Date: \_\_\_\_\_  
Debtor

Date: \_\_\_\_\_  
Joint Debtor

**Signatures**

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: September 25, 2017 /s/ Daniel E. Straffi, Jr.  
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: September 25, 2017 /s/ Alicia Green  
Debtor

Date: **September 25, 2017**

\_\_\_\_\_  
Joint Debtor

**Certificate of Notice Page 8 of 9**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Alicia R Green  
 Debtor

Case No. 17-28430-CMG  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 27

Date Rcvd: Sep 26, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 28, 2017.

db  
 517060653 +Alicia R Green, 248 2nd Ave, Toms River, NJ 08757-4825  
 517060655 Aurora Financial Gr In, 900 Route 73 N, Marlton, NJ 08053-1230  
 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285  
 (address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238-1119)  
 517060654 Capital One, Attn: Bankruptcy, PO Box 30253, Salt Lake City, UT 84130-0253  
 517060659 Comenity Bank/Express, PO Box 182789, Columbus, OH 43218-2789  
 517060658 Comenity Bank/Express, Attn: Bankruptcy, PO Box 182125, Columbus, OH 43218-2125  
 517060663 Eastern Account System, 75 Glen Rd Ste 310, Sandy Hook, CT 06482-1175  
 517060664 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180  
 (address filed with court: Ford Motor Credit, National Bankruptcy Service Center,  
 PO Box 62180, Colorado Springs, CO 80962-2180)  
 517060665 +Frd Motor Cr, PO Box BOX542000, Omaha, NE 68154-8000  
 517060667 Higher Education Student Assistance Auth, PO Box 548, Trenton, NJ 08625-0548  
 517060668 KML Law Group, PC, 216 Haddon Ave Ste 406, Westmont, NJ 08108-2812  
 517060673 State of Nj Highed Ed, PO Box 543, Trenton, NJ 08625-0543  
 517060675 Target, C/O Financial & Retail Svcs Mailstopn BT, PO Box 9475,  
 Minneapolis, MN 55440-9475  
 517060676 +Thrift Investment Corp, 720 King George Rd, Fords, NJ 08863-1985  
 517060677 Tnb - Target, PO Box 673, Minneapolis, MN 55440-0673

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Sep 26 2017 22:43:58 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Sep 26 2017 22:43:56 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 517060652 E-mail/Text: bknotices@conduent.com Sep 26 2017 22:44:52 Acs/Pnc Bank,  
 ACS/Education Services, PO Box 7051, Utica, NY 13504-7051  
 517060656 E-mail/Text: kzoepfel@credit-control.com Sep 26 2017 22:44:00 Central Loan Admin & R,  
 425 Phillips Blvd, Ewing, NJ 08618-1430  
 517060657 E-mail/Text: ned-collections\_bankruptcydocuments@comcast.com Sep 26 2017 22:44:28 Comcast,  
 PO Box 840, Newark, NJ 07101-0840  
 517060661 E-mail/PDF: creditonebknotifications@resurgent.com Sep 26 2017 22:47:45 Credit One Bank NA,  
 PO Box 98873, Las Vegas, NV 89193-8873  
 517060660 E-mail/PDF: creditonebknotifications@resurgent.com Sep 26 2017 22:47:45 Credit One Bank NA,  
 PO Box 98875, Las Vegas, NV 89193-8875  
 517060666 E-mail/Text: rob@ftafinancial.com Sep 26 2017 22:44:53 FTA Financial, LLC,  
 220 US Highway 46 Ste 301, Little Ferry, NJ 07643-1416  
 517060669 E-mail/Text: bnckohlsnotices@becket-lee.com Sep 26 2017 22:43:23 Kohls/Capital One,  
 Kohls Credit, PO Box 3043, Milwaukee, WI 53201-3043  
 517060670 +E-mail/Text: bnckohlsnotices@becket-lee.com Sep 26 2017 22:43:23 Kohls/capone,  
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096  
 517060671 E-mail/PDF: resurgentbknotifications@resurgent.com Sep 26 2017 22:53:06 Lvnv Funding LLC,  
 PO Box 10497, Greenville, SC 29603-0497  
 517060672 E-mail/Text: bk@afsacceptance.com Sep 26 2017 22:44:07 Prefrd Auto, 1260 Centre Tpke,  
 Orwigsburg, PA 17961-8956

TOTAL: 12

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

517060662\* +Credit One Bank, NA, PO Box 98873, Las Vegas, NV 89193-8873  
 517060674 ##+Stellar Recovery Inc, 4500 Salisbury Rd Ste 10, Jacksonville, FL 32216-8035

TOTALS: 0, \* 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
 will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
 debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.



District/off: 0312-3

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 27

Date Rcvd: Sep 26, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 28, 2017

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 25, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Daniel E. Straffi on behalf of Debtor Alicia R Green dstraaffil@comcast.net,  
G25938@notify.cincompass.com  
Denise E. Carlon on behalf of Creditor New Jersey Housing And Mortgage Finance Agency  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4